



10655328 - GAUW

32692

Customer Number

PATENT
Docket No.: 58975US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOSEF A. GRAESSLE, KEVIN R. GREEN
and ALBERT VENTSerial No.: 10/655,328
Filed: September 4, 2003For: BIOLOGICAL GROWTH PLATE
SCANNER WITH AUTOMATED
INTAKE

Group Art Unit: 2878

Examiner:

INFORMATION DISCLOSURE STATEMENTCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

The Examiner's attention is also directed to the following co-pending, co-assigned U.S. Patent applications and the references cited therein: USSN 10/656,089, filed September 5, 2003. A copy of this application is enclosed herewith for consideration by the Examiner.

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
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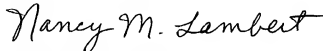
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AT/

-2-

Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,



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Dated: *September 1, 2004*

**INFORMATION
DISCLOSURE
STATEMENT**

Atty. Docket No.: 58975US002

Serial No.: 10/655,328

Applicant(s): Josef A. Graessle, Kevin R. Green and Albert Vent

Filing Date: September 4, 2003

Group: 2878

U.S. PATENT DOCUMENTS

Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
/AT/	3,811,036	05/14/74	Perry			
	3,962,040	06/08/76	Campbell et al.			
	4,118,280	10/03/78	Charles et al.			
	4,160,601	07/10/79	Jacobs			
	4,591,567	05/27/86	Britten et al.			
	4,720,463	01/19/88	Farber et al.			
	4,724,215	02/09/88	Farber et al.			
	4,817,785	04/04/89	Farber et al.			
	4,856,073	08/08/89	Farber et al.			
	5,329,686	07/19/94	Kildal et al.**			
	5,372,936	12/13/94	Fraatz et al.			
	5,403,722	04/04/95	Floeder et al.			
	5,428,690	06/27/95	Bacus et al.			
	5,510,246	04/23/96	Morgan			
	5,573,950	11/12/96	Graessle et al.			
	5,694,478	12/02/97	Braier et al.			
	5,721,435	02/24/98	Troll			
	5,744,322	04/28/98	Krejcarek et al.			

FOREIGN PATENT DOCUMENTS

Initial	Document Number	Date	Country	Class	SubClass	Translation Yes No
/AT/	0 008 826 A2	03/19/80	EPO	G01N	15/00	X
	0 088 601 A1	09/14/83	EPO	G01N	35/04	X
	0 397 256 A2 & A3	11/14/90	EPO	G01N	35/00	X
	0 429 030 A3 & A2	05/29/91	EPO	B01L	7/00	X
	0 547 709 A3 & A2	06/23/93	EPO	G01N	35/00	X
	0 819 930 A2	01/21/98	EPO (English Equivalent provided above *)	G01N	15/14	X
	0 193 385 B1	07/22/92	EPO	G01N	35/00	X
	60-83597	05/11/85	Japan	C12Q	1/02	X
	5-249105	09/28/93	Japan (English Equivalent provided above*)	G01N	33/48	X
	WO 92/12233	07/23/92	PCT	C12M	1/32	X

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

/AT/	Product brochure entitled "Powerful data handling for GLP conformance" by ProtoCOL, Synbiosis, a division of Synoptic Ltd, Cambridge, UK (4 pgs.)
/AT/	Product brochure entitled "Efficient Batch Handling" by ProtoZONE, Synbiosis, a division of Synoptic Ltd., Cambridge, UK (4 pgs.)
/AT/	Product brochure entitled "Petrifilm™ Information Management System - Reduce Operational Costs and Increase Productivity", 3M Microbiology Products; 1999; 70-2009-1996-0; (3 pgs.)

EXAMINER

/Abolfazi Tabatabai/

Date Considered

05/15/2008

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820
(Also form PTO-1449)

Patent and Trademark Office, U.S. Department of Commerce

Serial No.: 10/655,328

Group: 2878

SEP 03 2004

FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	SubClass	Translation Yes	No
<div>/A/I/</div> <div>↓</div>		WO 94/01528	01/20/94	PCT	C12M	1/34	X	
		WO 94/26926	11/24/94	PCT	C12Q	1/04	X	
		WO 95/16768	06/22/95	PCT	C12M	1/34	X	
		WO 98/53301	11/26/98	PCT	G01N	21/01	X	
		WO 98/59314	12/30/98	PCT	G06K	9/00	X	
		WO 00/32807	06/08/00	PCT	C12Q	1/18		X
		WO 00/49129	08/24/00	PCT	C12M	1/34		X
		WO 00/49130	08/24/00	PCT	C12M	1/34		X
		WO 01/83673 A2	11/08/01	PCT	C12M	1/34	X	
		2 249 829 A	05/20/92	United Kingdom	G01N	15/00	X	

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(Also form PTO-1449)

ALL
58975US002 IDS 1449

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AT/